IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.538 OF 2004
IN
EXECUTION APPLICATION NO.444 OF 2000
IN
AWARD NO.ARB/REYON/7 OF 2000

India Securities Ltd. .. Claimants

Vs.

Baroda Reyon Corpn. Ltd. .. Respondent

And

Backbay Premises Co-operative
Society Ltd. .. Applicant

Mr.R.V.Govilkar for the applicant
Mr.R.Sonpal for the respondent

CORAM: S.U.KAMDAR, J
DATE : 4TH MAY, 2005

P.C.:

.The present Chamber Summons is taken out for permission of the Court to take legal steps under the Maharashtra Co-operative Societies Act including an expulsion of respondents from the membership of the Society. Chamber summons is thoroughly misconceived. If there is any power in the Co-operative Society then the same can be exercised. If there is any intervening circumstances by which power cannot be exercised then such power ought not to be exercised. In view thereof, chamber summons is dismissed as misconceived. Applicant to pay cost quantified at

Rs.5000/- to the legal aid committee.